

## RECORD OF PRE-CONSTRUCTION CONFERENCE

Blackfeet Tribe, c/o Blackfeet Planning Department, PO Box 2809, Browning, MT 59417  
NAME OF OWNER ADDRESS

Indian Health Service, PO Box 760, Browning, MT 59417  
NAME OF CONSULTING ENGINEER (firm) ADDRESS

Chief Construction Specialties, PO Box 80431, Billings, MT 59108  
NAME OF CONTRACTOR (firm) ADDRESS

Great Falls, MT 11/20/02  
LOCATION / DATE OF CONFERENCE

### 1. Identification of official representatives of Owner, Engineer, Contractor, Rural Development and Others:

OWNER: Stewart Miller, Project Manager ENGINEER: Carole Boerner, PE  
PHONE: (406)338-7406 PHONE: (406)338-6309

CONTRACTOR: Rob Stolz RESIDENT INSPECTOR: John Monroe  
PHONE: (406)698-3189 PHONE: (406)338-7406

CONTRACTOR'S SUPT.: Jim Nicholson RURAL DEVELOPMENT: Judy Broadwater  
PHONE: (406)861-2059 PHONE: (406)

OTHER: Albert Lee, Engineering Technician OTHER: Justin Wieser, Engineer  
PHONE: (406)338-6381 PHONE: (406)338-6171

OTHER: \_\_\_\_\_ OTHER: \_\_\_\_\_  
PHONE: \_\_\_\_\_ PHONE: \_\_\_\_\_

### 2. Responsibilities of Engineer: (Does not "supervise" the contractor's employees, equipment or operations.)

As Owner's representative, the Engineer interprets plans and specifications, makes periodic and/or full time site visits; reviews "Partial Payment Estimates", and "Change Orders" with transmittal letters / recommendations to the Owner and Rural Development. The Engineer also reviews contractor's as built drawings and shop drawings.

### 3. Responsibilities of Owner's governing body:

Owner complies with Rural Development loan closing conditions and loan approval conditions; keeps all funding and regulatory agencies informed of project progress; approves Change Orders and Partial Payment Estimates; makes payments to contractor within time required by contract documents; communicates with the Contractor through the Engineer; and reviews the project for acceptance after the Engineer recommends acceptance.

### 4. Responsibilities of Rural Development: (Loan/grant conditions observed. Represents Government's interests.)

Rural Development represents the government's interests in the project. Works with Owner, Engineer and others to facilitate project completion. Monitors construction by making periodic inspections; reviews and approves Partial Payment Estimates, Change Orders, and makes a final inspection with the Engineer. Rural Development is not a party to the contract.

**5. Responsibilities of Contractor: (Review contract terms.)**

Perform work required in the contract documents in workman-like and fair manner, maintain constant communication with Engineer including pointing out potential problems and provide advance notice of needed Engineering services. Responsible for construction safety.

---

**6. Responsibilities of any other entity or agency contributing to the project:**

State the roles of any Grant Administrator or Project Manager other than Engineer.

Other funding agencies may have requirements in addition to those of Rural Development.

---

**7. General Discussion of Contract:**

**A. Alternative specifications: (Does everyone understand the alternatives applicable to the contract as awarded?)**

---

---

---

**B. Initiation of construction: (Notice to Proceed.)**

Notice to Proceed has been issued but contingent upon submission of TERO compliance plan, compliance with Tribe's Ordinance 90, and correction of insurance certificate.

---

**C. Completion time for contract: (Does everyone understand contract requirements and methods of computing?)**

Contract time allowed is 126 days from Notice to Proceed. The construction period is identified in the Bidder's Proposal, Agreement and Notice to Proceed. Completion date is: September 30, 2003

---

**D. Liquidated damages:**

The amount of liquidated damages listed in the contract is \$3,460.00 per calendar day. Liquidated damages are specified in Agreement.

---

**E. Requests for extension of contract time:**

Any requests shall be recorded on a Change Order and approved by the Owner and Rural Development. Contractor shall request the extension within 30 days of the event that is the basis for the request. Delay will increase Owner's finance costs, thus they will not be approved except as provided in the contract. Other funding agencies' approval may be required as well.

---

---

**F. Procedures for making partial payment:**

Owner will submit monthly request for reimbursement. Includes (1) transmittal letter showing amount requested, requesting approval and listing enclosures (2) supporting statements and receipts including Partial Payment Estimate and (3) spreadsheet showing all funding agencies financial participation. Rural Development may also required submittal of lien releases from each supplier/subcontractor starting with second pay estimate.

---

---

**G. Guarantee on completed work: (Materials, installed equipment, workmanship, Etc.)**

In general, one year from date of Substantial Completion.

---

---

**H. Other requirements of the contract / specifications which deserve special discussions by all parties:**

If historic or archeological findings are encountered, Contractor must leave the artifact in place and report immediately to the Project Manager.

The stormwater pollution prevention plan must be kept on-site at all times and the contractor shall comply with this plan.

**8. Contractor's schedule:**

**A. Analyze work schedule in sufficient detail to enable Engineer to plan his operations: (Consideration must be given to needs of Owner and planned operations of other contractors.)**

The Contractor has submitted a preliminary construction schedule which needs to be updated. Any deviations from the schedule will be discussed at the Construction Progress Meeting. Engineer will submit them to the Owner and to Rural Development.

**B. Equipment to be used by Contractor:**

The Contractor shall at all times employ sufficient labor and equipment for completion of contract.

**C. Contractor's plans for delivering materials to project site: (Protection and storage of materials.)**

Materials to be stored or housed as necessary to preserve quality and fitness and securely. Contractor is responsible for material until final acceptance by Owner and Rural Development.

**9. Sub-Contracts: (Review and approval of proposed sub-contractors and their work schedules.)**

The Contractor shall have full responsibility for subcontractors.

The same certifications and Equal Employment Opportunities requirements apply to ALL subcontractors as does to the Contractor: Form 400-6, AD-1048 and 1940-Q.

**10. Status of materials furnished by Owner:**

**A. Schedule for future deliveries:**

**B. Procedures to be adopted by Contractor in accounting and storing for such materials:**

**11. Change Orders: (Detailed explanation of procedure to be followed and clearance which must be obtained before changes are implemented.)**

Approval of work by both Owner and Rural Development is required before any work may be initiated or payment made. Submit signed Change Order Form accompanied by: (1) "Project Fund Analysis", (2) evidence of negotiation; and (3) cost breakdown, including any profit and overhead to Rural Development for review and concurrence.

Engineer can obtain verbal Rural Development approval on urgent work.

Change Order is required for any change in the contract cost, design, material or scope of work, including contract period.

**12. Staking of work: (Clearly define responsibilities of Engineer and Contractor. Line and grade must be furnished by Engineer.)**

Engineer will provide line and grade and any other staking as appropriate. A walk-through

---

---

**13. Project inspection**

**A. Functions of Engineer, including records and reports:**

Resident Inspector shall be John Monroe, Blackfeet Planning Department. Daily log is required to be kept. Copies of the daily reports / summaries are required to be submitted to Rural Development. The Engineer is responsible for compiling all records and reports as necessary and for oversight of all inspection. Full time inspection of the project is required by Rural Development.

Weekly project meetings will be conducted.

---

**B. Responsibilities of Owner:**

Communicate with Contractor only through Engineer. Stay informed of project status and inform Rural Development of any problems or delays.

---

**C. Responsibilities of Rural Development:**

Monitor construction progress to protect government interest in project. Review daily inspection logs and reports. Make monthly inspections prior to approval of partial payment estimates. Attend the project Substantial Completion and 11-Month Warranty inspections.

---

---

**D. Safety and sanitary regulations:**

Contractor is solely responsible for compliance with local, state, and federal regulations.

---

---

**14. Final acceptance of work: (Include requirements for tests and cleanup of project site.)**

Engineer will monitor tests and approve cleanup work. Owner, Rural Development and Engineer will jointly make a final inspection prior to Substantial Completion. Owner and Rural Development will not accept the project until Engineer makes a recommendation of acceptance. The Engineer will certify in writing that the project has been completed in accordance with the approved plans and specifications and any approved addenda.

---

---

**15. Labor requirements:**

**A. Equal Employment Opportunity requirements:**

Signed Compliance Statement Form 400-6 is a part of the contract documents

---

Rural Development will provide Contractor with Form FmHA 400-3 "Notice To Contractors and Applicants" and an EEO poster to be posted in a conspicuous location.

---

**B. Davis Bacon Act: (Including wage rates and Department of Labor requirements.)**

Davis Bacon is a requirement.

---

**C. Other Federal requirements:**

---

**D. Blackfeet Tribal requirements:**

The Contractor is responsible for complying with the Blackfeet Tribal Employment Rights Ordinance. The Wage Rates must be posted in a conspicuous location. The Owner will retain project labor rate records.

**E. Union agreements:**

**F. Reports required:**

Certified payrolls are to be submitted regularly by Contractor to the Owner. Payments may be withheld if payroll reports are not current.

**16. Equal Employment provisions of contract:**

See General Conditions and Section 00900 (Agency Special Provisions).

**17. Rights-of-way and easements:**

**A. Explanation of any portion of project not available to Contractor:**

The Engineer will clearly mark areas of the Right-of-Way that are not yet available for construction. The Right-of-Way will be marked with ribbon on trees 1 foot outside the Right-of-Way. The Contractor will coordinate with the Resident Inspector prior to begin clearing of Right-of-Way to assure it is clearly marked.

**B. Contractor's responsibilities during work covered by contract:**

The Contractor will keep all construction activities within limits of easements and utilize access roads shown on the plans or approved by the Owner.

**C. Coordination with Utilities:**

Contractor will contact, coordinate with and keep all construction activities within limits of easements of all utilities and agencies with jurisdiction.

**18. Placement of project sign and posters:**

The project sign must be constructed to specifications and installed PRIOR TO first Pay Estimate. Sign location to be approved by Owner and Engineer.

**19. Handling disputes:**

Good coordination and communication between Engineer and Contractor is essential.

All disputes should be handled between Owner/Owner's representative (Engineer) and Contractor.

If not possible, General Conditions and Supplemental General Conditions provide for appropriate course of action.

NOTED AND CONCURRED WITH, But understood not to be a modification of any existing contracts or agreements:

Signatures of Members of Owner's Governing Body, Contractor, Engineer, Rural Development:

\* Or attach a sign-in list.

Attended by:

Robert Stoltz of Chief Construction Specialties Inc., Carole Boerner, PE and Justin Weiser and Albert Lee of IHS, Karen Sanchez of RD, Stewart Miller and John Monroe for Owner

**THE BLACKFEET TRIBE**



**Blackfeet Planning & Development Department**

**P.O. Box 2809/527**

**Browning, Montana 59417**

**(406) 338-7181/7406**

**FAX: (406) 338-7206**

**E-Mail: [plan@3rivers.net](mailto:plan@3rivers.net)**

Marilyn Parsons, Planning Director

Don White, Transportation Planning Director

Wayne Bruno, Campgrounds Manager

George Heavy Runner, Tribal Management Grant

Stewart Miller, Water Project Manager

Jodi Running Fisher, Administrative Assistant

Mike LaMere, TPA Grantwriter

Toni Grant, Tribal Planner

Jack Edmo, Sr., Transportation Planning Consultant

John Monroe, Project Inspector

**NOTICE TO PROCEED**

November 20, 2002

TO: Robert Stoltz, President  
Chief Construction Specialties, Inc.  
P. O. Box 80431  
Billings, Mt. 59108

Project: Blackfeet Community Water Project (BCWP), Phase I

Contract: BCWP – P1-002

You are notified that the Contract Times under the above contract will commence to run on November 25, 2002. By that date you are to start performing your obligations under the Contract Documents. In accordance with Article 4 of the Agreement the date of Substantial Completion is October 24, 2002 and the date of readiness for final payment is November 24, 2002. This time frame reflects the required shut down period of March 1 through July 14 of 2003, as mandated by the mitigation measures for this project and provided for in the BCWP Environmental Assessment

Before you may start any Work at the Site you must deliver to the Owner the following;

1. Certificates of insurance, which you are required to purchase and maintain in accordance with the Contract Documents and which has been requested in the Notice of Award, Item 8.
2. Deliver a written hiring plan as required by the Blackfeet Tribe's Employment Rights Office (TERO) or certification from TERO that you have complied with their requirements, which has been requested in the Notice of Award, Item 3.
3. Contractor is responsible for obtaining an NPDES General Permit for Storm Water Discharges, from EPA through the Blackfeet Environmental Office, Blackfeet Tribe. Refer to Section 0100, 1.08, B., specifications for this project. Confirmation of the permit application, which includes a pollution prevention plan, must be provided to Owner prior to starting work.

If you have any questions, contact the Project Engineer Carole Boerner, PE at 406-338-6309 or me at 406-338-7406.

Blackfeet Tribe

By:

Stewart Miller

Project Manager

Blackfeet Community Water Project

Copy to Engineer  
RD

## DAILY INSPECTION REPORT

Job No. 31-018-0810212955 (1)

## Borrower Information

BCWP - P1 - 002

Blackfeet TribeDate 12-10, 2002

Name

P. O. Box 2809 Browning Mt. 59417

Report No. 1 (2)

Street County State Zip

## Project Information

Type of Project East Glacier Water Line/Tank Project Location Lower Two Medicine Lake to East Glacier.Contractor(s) Name Chief Construction Specialties Inc. Superintendent Rob Stoltz,  
President, Jim Nicholson, Supt.Weather Conditions Cloudy, windy light snow +35° to +42°

Description of Work Accomplished Clearing and grubbing operations are well underway with most of the initial work complete. The 12" HDPE has been delivered, inspected and is presently being fused for installation. The Engineering crew has the entire 50 FT. R/W defined and continues to layout control points, both vertical and horizontal.

Items of Interest Occurred \_\_\_\_\_

Delays or Work Restraining Orders \_\_\_\_\_

Change Orders \_\_\_\_\_

Additional Remarks \_\_\_\_\_

(Include problems, delays and controversies on orders)

BY John Menard  
Resident Inspector

## Note to Resident Inspector:

The original Daily Inspection report shall be submitted to the borrower at intervals not exceeding one (1) week with copies of the report furnished the project engineer, Contractor(s), and RUS.

- (1) Assigned by RUS.
- (2) Assigned by Resident Inspector in consecutive order beginning with No. 1.

## DAILY INSPECTION REPORT

Job No. 31-018-0810212955 (1)

## Borrower Information

BCWP - P1 - 002

Blackfoot TribeDate 12-13, 2002

Name

P. O. Box 2809 Browning Mt. 59417

Report No. 2 (2)

Street County State Zip

## Project Information

Type of Project East Glacier Water Line/Tank Project Location Lower Two Medicine Lake to East Glacier.Contractor(s) Name Chief Construction Specialties Inc. Superintendent Rob Stoltz,  
President, Jim Nicholson, Supt.Weather Conditions Cloudy +32° & +96°

Description of Work Accomplished The contractor is deliver-  
ing equipment to the plant site. Some  
4,000 Ft. of 12" HDPE has been fused  
and strung out to the south.  
The contractor plans on starting to  
excavate and lay pipe on Monday,  
Dec. 16, '02.

Items of Interest Occurred \_\_\_\_\_

Delays or Work Restraining Orders \_\_\_\_\_

Change Orders \_\_\_\_\_

Additional Remarks \_\_\_\_\_

(Include problems, delays and controversies on orders)

BY John Manna  
Resident Inspector

## Note to Resident Inspector:

The original Daily Inspection report shall be submitted to the borrower at intervals not exceeding one (1) week with copies of the report furnished the project engineer, Contractor(s), and RUS.

- (1) Assigned by RUS.
- (2) Assigned by Resident Inspector in consecutive order beginning with No. 1.



## DAILY INSPECTION REPORT

Job No. 31-018-0810212955 (1)

BCWP - P1 - 002

## Borrower Information

Blackfeet TribeDate 12-18, 2002

Name

P. O. Box 2809 Browning Mt. 59417

Report No. 3 (2)

Street County State Zip

## Project Information

Type of Project East Glacier Water Line/Tank Project Location Lower Two Medicine Lake to East Glacier.Contractor(s) Name Chief Construction Specialties Inc. Superintendent Rob Stoltz,  
President, Jim Nicholson, Supt.Weather Conditions cloudy +15° to 50°

Description of Work Accomplished The contractor started excavating and laying 12" HDPE from sta. 203± toward the water tank site or north. Approximately 600 Ft. has been layed and backfilled. Bury depth has been verified. Damaged pipe was identified, removed and replaced. Compaction efforts are being monitored and adjusted to field conditions.

Delays or Work Restraining Orders \_\_\_\_\_

Change Orders \_\_\_\_\_

Additional Remarks metal tracking tape will be placed later and backfilled to final grade

BY John Mavis  
Resident Inspector

## Note to Resident Inspector:

The original Daily Inspection report shall be submitted to the borrower at intervals not exceeding one (1) week with copies of the report furnished the project engineer, Contractor(s), and RUS.

- (1) Assigned by RUS.
- (2) Assigned by Resident Inspector in consecutive order beginning with No. 1.

## DAILY INSPECTION REPORT

RUS Bulletin 1780-18

Job No. 31-018-0810212955 (1)

BCWP - P1 - 002

## Borrower Information

Blackfeet TribeDate 12-30, 2002

Name

P. O. Box 2809 Browning Mt. 59417

Report No. 7 (2)

Street County State Zip

## Project Information

Type of Project East Glacier Water Line/Tank Project Location Lower Two Medicine Lake to East Glacier.Contractor(s) Name Chief Construction Specialties Inc. Superintendent Rob Stoltz,  
President, Jim Nicholson, Supt.Weather Conditions Cloudy +20° to +30°

Description of Work Accomplished The contractor has excavated, layed and backfilled the 12" HDPE to the plant site. All valve sites are left open for thrust blocks. Bury depths have been verified. Started fusing 20" HDPE on 12-27-02. 20" HDPE being pulled in 1000 ft. sections toward the intake.

Items of Interest Occurred \_\_\_\_\_

Delays or Work Restraining Orders \_\_\_\_\_

Change Orders \_\_\_\_\_

Additional Remarks \_\_\_\_\_

(Include problems, delays and controversies on orders)

BY Adrian Lu

Resident Inspector

## Note to Resident Inspector:

The original Daily Inspection report shall be submitted to the borrower at intervals not exceeding one (1) week with copies of the report furnished the project engineer, Contractor(s), and RUS.

(1) Assigned by RUS.

(2) Assigned by Resident Inspector in consecutive order beginning with No. 1.